

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

CHEFS DIET ACQUISITION CORP. d/b/a  
CHEFS DIET,

Plaintiff,

CASE NO: 14-CV-8467 (JMF)

v.

LEAN CHEFS, LLC, NICHOLAS ZAZZA and  
ARTHUR GUNNING,

Defendants.

**DECLARATION OF FRANCES STEPHENSON IN SUPPORT OF DEFENDANTS'  
OPPOSITION TO PLAINTIFF'S APPLICATION FOR PRELIMINARY INJUNCTION**

I, Frances Stephenson, declare as follows:

1. I am an associate attorney with the law firm Meredith & Keyhani, PLLC. Meredith & Keyhani represents the Defendants, Lean Chefs, LLC, Arthur Gunning, and Nicholas Zazza (collectively "Defendants") in the above captioned matter.
2. On January 23, 2015 I visited the United States Patent and Trademark Office ("USPTO") website at [www.uspto.gov](http://www.uspto.gov). I conducted a trademark search for the term "chefs." There were 5356 records. I also conducted a search for the term "diet," which resulted in 3487 records.
3. On January 23, 2015 I visited the USPTO website at [www.uspto.gov](http://www.uspto.gov). I conducted a trademark search and for the term "chefs" in conjunction with the goods and services "food." There were 1218 records found, including applications and registrations. This search yielded at least 100 live registrations.

4. On January 23, 2015 I visited the website <http://www.yelp.com/biz/chefs-diet-new-york-2>. Attached as Exhibit 1 is an accurate reflection of the content of the website and the image of the page I visited.

5. On January 23, 2015 I visited the website <http://www.yelp.com/biz/leanchefs-llc-manhattan>. Attached as Exhibit 2 is an accurate reflection of the content of the website and the image of the page I visited.

Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that this declaration was executed on January 23, 2015.

  
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Frances Stephenson